

International Women's Day, 2021

The world celebrates today, Monday, March 8, International Women's Day¹, an occasion to reflect on progress made, to call for change and to celebrate acts of courage and determination by ordinary women, who have played an extraordinary role in the history of their countries and communities. Despite the achievements made in many countries in promoting women's rights and equal rights between men and women, however in many countries of the world women still face many obstacles, especially in the field of work, participation in public life, and in their personal security.

In the job markets around the world, the gap between women's and men's income for the same job remains, according to the International Labour Organization², "On average, women earn 77% of what men earn." In Parliaments, in 2019, the proportion of women parliamentarians was no more than 25%. One in three women still suffers from gender-based violence.

In Libya, due to the deterioration of the security situation as a result of armed conflicts, women's rights in Libya have regressed on several levels, especially with regard to the standard of living and violence. In 2020 the crime of enforced disappearances, targeting Libyan women based on the actual or perceived affiliation of some members of their political families, continued unabated³. In April 2020, a group of women were abducted and disappeared in the town of Tarhuna. Some of them their relatives were opposed to a local militia in the city, known as al-Kaniyat and allied with Khalifa Haftar during the attack on the capital, Tripoli⁴.

The fate of Dr. Siham Sergewa, a member of the House of Representatives for Benghazi, is still unknown, despite international calls to reveal her fate. Dr. Siham was kidnapped by an armed group, affiliated with the Tariq Bin Ziyad Battalion⁵, commanded by one of Khalifa Haftar's sons, from her home in Benghazi in the early hours of July 17, 2019. The United Nations Support Mission in Libya described in a press release⁶ the kidnapping of Dr. Sergewa as: "a clear attempt to silence one of Libya's prominent female voices and to intimidate other women seeking to participate in the country's political life"⁷.

The Libyan civil society was shocked by the assassination of the civil activist, Mrs. Hanan al-Bara'si⁸, who was shot dead in broad daylight on November 10, 2020, in one of Benghazi's busiest streets⁹, shortly after she made a live Facebook broadcast in which she criticized Saddam Khalifa Haftar¹⁰. So far, no announcements have been made regarding outcome of any investigations, nor have been arrests made. No one has claimed responsibility for the crime.

Military clashes also affected women in Libya¹¹, as the number of women victims of armed confrontations reached 52 last year, 29 of whom were killed and 23 wounded, the majority in the suburbs of Tripoli caused by the attacks launched by Khalifa Haftar's militia¹².

The proliferation of armed groups and weapons in Libya led to an increase in crime and the continuation of violence and local conflicts, of which women were among the victims. According to a report prepared by the Human Rights Solidarity, the number of women among the victims of violence and assassinations reached 66 victims during the past year, 29 victims were victims of violent crimes¹³, 15 of them were killed. In addition, 13 kidnappings of women were documented, 4 of them survived, and the bodies of two victims were found, one in Tripoli and the other in Ubari, while the fate of seven victims remains unknown¹⁴.

In general, Libyan women suffer from the deterioration of the security situation due to armed conflicts and the increasing criminality, the deterioration of economic conditions as a result of the lack of liquidity in banks, salary delays, and high inflation. Women bear the brunt of the collapse of the economy and the difficulty in obtaining services, especially as they bear greater role in caring for their families. For example, scenes of queues of women waiting for long hours in front of banks and being subjected to verbal and physical violence by "security personnel", bank guards¹⁵, have become frequent.

Verbal sexual harassment, which Libyan women are subjected to in public places such as universities and government departments, is one of the most spread types of violence perpetrated against Libyan women, which in some cases may get to physical abuse. Accurate statistics and figures are not available on the extent and prevalence of this phenomenon¹⁶. There is a dearth of data and it is difficult to obtain data or research this topic.

There are also no statistics in Libyan courts for any kind of these crimes¹⁷. It is apparent that there are fewer reports and accounts¹⁸ of harassments than those in neighbouring countries, before and after the revolution. Perhaps this is due to fear of social stigma, in addition to insecurity and the absence of the rule of law. Women in Libya do not

resort to reporting these crimes, and therefore there are no statistics or figures in this regard¹⁹.

Shortly before her assassination, lawyer Hanan al-Bara'si, through her account on the social network Facebook, focussed on the phenomenon of extortion and sexual harassment which women were subjected to in the city of Benghazi²⁰, allegedly at the hands of influential people in the city²¹.

In prisons and detention centers, hundreds of women in Libya, citizens and migrants, are subjected to grave violations, where they are subjected to brutal patterns of torture, sexual abuse, and other forms of abuse and inhumane treatment in prisons and detention centers, the vast majority of whom are victims of arbitrary detention. Grave violations documented by international reports, and amid complete silence by the Government of National Accord (GNA), the internationally recognized Government of Libya, and the unrecognized "Interim Government"²². Last January, a group of women detainees in Mitiga Detention Center went on hunger strike to protest the indefinite detention without trial and demanded their release or transfer to trial without delay²³.

The children of Libyan women married to foreigners, especially those residing in Libya, are still being deprived of their basic rights. Though a law, Law number 24 (2010)²⁴, was issued to grant these children the right to obtain Libyan citizenship, they are still being denied the right to obtain Libyan citizenship, the citizenship of their Libyan mothers²⁵.

Among the precautionary measures taken by the Libyan authorities to contain COVID-19 pandemic, is the imposition of lockdown, which increased the likelihood of increase in cases of domestic violence practiced against women in Libya. A quick survey²⁶, conducted by the United Nations Women in Libya²⁷, revealed a number of challenges facing Libyan women, the most prominent of which is the following: "46 per cent of respondents feared domestic violence would increase during the lockdown", because of tensions, created by insecurity, health, and financial pressures, which are aggravated by the lockdown.

Human Rights Solidarity Tripoli – Libya

¹ United Nations: "[International Women's Day, 8 March](#)".

² International Labor Organization: "[Tackling sex discrimination through pay equity](#)", updated May 2016. ILO: "Differences in remuneration between women and men exist in all countries. The difference between their earnings, expressed as a percentage of men's earnings, is estimated to be 23% globally. In other words, women earn on average 77% of what men earn. This is known as the gender pay gap".

³ The increase in enforced disappearance of women since the beginning of 2019 is alarming. See the statement of the Human Rights Solidarity Organization: "[For the first time, in Two Decades, we have documented the enforced disappearance of women in Libya](#)", 30th August 2019, a report by Human Rights Solidarity on the International Day of the Victims of Enforced Disappearance. In 2019, HRS documented the crimes of enforced disappearance of 12 victims, 5 of the crimes of enforced disappearance of women took place in Derna, and 7 in Benghazi.

⁴ International human rights organizations and media outlets confirmed the kidnapping of four women, three of them from one family, Harruoda" family, one of whom was pregnant. Their remains were found in unmarked mass graves on the outskirts of Tarhuna, and they were identified through their belongings and clothes. Libya Al-Ahrar Channel: "[In a first precedent, the families of the victims of mass graves in Tarhuna identify their missing ones through their belongings and clothes](#)" January 11, 2021.

⁵ The New Arab: "[Kidnapping of women is increasing in eastern Libya](#)", Osama Ali, November 5, 2019.

⁶ United Nations Support Mission in Libya: "[Three months after the kidnapping of MP Sergewa, UNSMIL calls for her immediate releases and all victims of enforced disappearance in Libya](#)", 17th October 2019. Despite national and international demands to reveal the fate of Dr. Sergewa and demands for protecting her from torture and to release her, the security forces affiliated with the unrecognized "Interim Government" which controls the city of Benghazi, continued to remain silent toward those demands.

⁷ Dr. Sergewa was not the only victim of kidnappings and disappearances of women in during 2019. An armed group in Benghazi abducted a 68-year-old lady, [Magbula el-Hasi](#) from her home in Benghazi on 14th October 2019. Ms. el-Hasi is a licensed alternative medicine practitioner. Her fate is still unknown despite [appeals by her tribe](#). Also, in Benghazi, [five women, Sudanese nationals](#), were abducted on several incident in October 2019. The bodies of two of them were discovered on two deserted locations in Benghazi, and both bodies bore signs of torture and had bullet wounds. The fate of the remaining Sudanese, nurses, remains unknown, nor were there any news of investigations into these kidnappings and killings. In Derna, militias loyal to renegade Maj Gen Haftar reportedly abducted five women from two families in May 2019, and there is no information about their fate. The article by Libya Observer "[Haftar's Militias kidnap women in Derna](#)", 27th May 2019, reported that 3 women from al-Bahbah family, and a woman and her 2 daughters were from Ben Khayal family. However, HRS has confirmed from other sources the abduction of three women from al-Bahbah family, and the abduction of Ms. Najiah al-Kawwash and her daughter Selima Ben Khayal accompanied with her 4 children. The number of women who are victims of Enforced Disappearance in Libya, might be far greater than the 12 cases mentioned in this report (Dr. Sergiwa, Ms. el-Hasi, 5 Sudanese Nationals, and 5 from Derna), because of the chaotic situation of proliferation of militias, weakness of the central government, and lack of media coverage, especially in the city of Derna. According to information available to HRS, there is around 200 women being detained at Mitiga Detention Center in Tripoli, and scores of women being detained in the Air Academy Military detention in Misrata, majority are women detained by the Bunyan al-Marssouss (BAM) military campaign to liberate the city of Sirte from ISIS. Also, scores of women are detained in Benghazi, Gernada and ar-Rajma, in Eastern Libya. There is no information about the identities of all these detained women, nor any information on whether all of them have been able to communicate with their relatives since their arrest, or not.

⁸ The perpetrators tried to kidnap her, by dragging her to a van, but she resisted fearlessly, so they shot her and fled the scene. In the weeks leading to her assassination, she posted on social media exposing the sexual exploitation and abuse that women are subjected to in Benghazi at the hands of

the official security services and militias under the command of Khalifa Haftar. In her last live broadcast a few hours before her death, she stated that she would address the corruption of Saddam Khalifa Haftar, commander of the Tariq Bin Ziyad Battalion, whose members most belong to the Madkhali movement and object to recognize any role for women in public life. In a [recording posted widely on Libyan social media accounts](#), a member of the battalion appeared speaking in a pejorative language that undermines the dignity and reputation of Mrs. Hanan al-Bara'si, the assassinated lawyer.

⁹ BBC Arabic: "[Hanan al-Bara'si: widespread wave of anger after the assassination of the Libyan activist and lawyer in Benghazi](#)", November 11, 2020.

¹⁰ CNN Arabic: "[A day after she criticized the son of Khalifa Haftar, the killing of the Libyan lawyer Hanan al-Bara'si is causing an uproar](#)", November 13, 2020.

¹¹ The Special Representative of the Secretary-General (SRSG) and Head of the United Nations Support Mission in Libya (UNSMIL), Ghassan Salameh, announced that at least 18 women and 13 girls were killed, and that 26 women and 15 other girls were injured during the course of hostilities in Libya during 2017. In the city of Derna in February 2019, at least four women and three children were killed while Haftar's militia bombed the Old City of Derna. Women also lived in the capital, Tripoli, in difficult humanitarian conditions as a result of the war that took place in the southern suburbs of the capital. For example, the mayor of Abu Salim municipality announced that 5 women were killed in April of 2019, as a result of the indiscriminate bombing of more than one locality in the municipality, and the killing of an elderly woman and the injury of a number of her family members as a result of air strikes by Haftar's forces on the area close to Mitiga Airport. In the south, a government hospital in the city of Murzuq received the bodies of 9 children and two women, one of whom was pregnant, as a result of the bombing by UAE drones supporting Khalifa Haftar.

¹² Human Rights Solidarity: "[Human Rights Solidarity published the annual report on the Victims of Armed Clashes in Libya during the year 2020](#)", January 14, 2021.

¹³ Victims of violence are victims of crimes like assassination, murder, kidnapping, physical assault and indiscriminate shootings.

¹⁴ A report by Human Rights Solidarity, will be published later.

¹⁵ The New Arab: "[Increased sexual harassment in Libya](#)", Osama Ali, March 20, 2019.

¹⁶ Ministry of Planning, Bureau of Statistics and Census: "[The Libyan National Family Health Survey - 2014, the official report](#)". With regard to domestic violence against women, the study stated that approximately 79% of women had been subjected to verbal abuse, and 50% of women said that their husbands were the main perpetrator of this abuse.

¹⁷ Ultra-Sawt: "[Libyan women, Violence continues](#)" Rida Fahil al-Bom, October 18, 2015.

¹⁸ In recent years, stories of abuse and sexual harassment in Libya began to be published in press reports. One of them is this case of a 24-year-old young woman named Salma, who was working as a nurse in a private clinic in Tobruk, where she recounts that she was being harassed by one of the administrative staff of the clinic, to the point that she considered leaving the job. The culture of shame and tabu controlled Salma's behaviour, she said "I did not tell anyone of my family, and preferred silence for fear of scandal, and for fear of my family's reaction because they would not understand the matter". However, the situation worsened after a while, when the harasser tried to move beyond verbal harassment to physical assault, when he found her alone in the nurses' room and she refused to talk to him and told him to leave. He physically attacked her, and when she screamed to alert the clinic's security. "Both of us were referred to a disciplinary panel, despite my attempts to explain what happened, and that I was a victim", she said. Despite her desperate attempts to clarify the situation, the panel decided to sack Salma "in order to preserve the reputation of the clinic, even though they knew that I was not responsible of what happened, because the perpetrator admitted his responsibility, whom no disciplinary action was taken against him". Correspondents: "[Sexual harassment in enclosed spaces is not a crime!](#)" Zine El-Abidine Abdel-Gawad, March 26, 2014.

¹⁹ SAFEWORLD: [“‘It’s dangerous to be the first’: security barriers to women’s public participation in Egypt, Libya, and Yemen”](#), November 2013.

²⁰ The campaign by Hanan al-Bara’si to combat sexual harassment of women and putting this phenomenon in the spotlight, might have been one of the reasons behind her assassination.

²¹ One of the cases of sexual harassments in 2020 was the accusation against the head of the steering committee of the association of families of Haftar’s loyalists killed in action, Salah al-Fessaie. The committee is based in al-Birka suburb of Benghazi. Al-Fessaie was arrested on October 11, 2020, on the grounds of being accused of extortions and sexual harassments of the widows in exchange for processing their needs in the committee. A legal case was started against al-Fessaie at the Department Military Police and Prisons Department, and he was arrested and imprisoned, after interrogation, in the military prison. Screenshots of messages, of extortion and sexual exploitation nature, allegedly sent by al-Fessaie to some widows were posted on social media platforms. Libya Al-Ahrar TV Channel: [“Benghazi: chaos of Haftar’s militias extends to ‘honour issues’”](#), October 20, 2020.

²² Human Rights Council, 43rd Regular Session, Report of the United Nations High Commissioner for Human Rights: [“Situation of human rights in Libya, and the effectiveness of technical assistance and capacity-building measures received by the Government of Libya”](#), January 23, 2020. Paragraph 31 *“Guards in prisons and detention centers continued to sexually abuse Libyan and foreign women inmates. UNSMIL/OHCHR is concerned about the absence of female guards in prisons and detention centers across the country. With the exception of Jdaidah Women’s Prison in Tripoli, no other detention facilities employ female guards. This situation is compounded by the unimpeded access of male guards to the cells of female inmates, which increases the risk of sexual abuse and exploitation. UNSMIL/OHCHR continued to receive alarming reports of sexual violence in prisons and detention centers against women, men and boys, including allegations of sexual violence and rape at Mitiga prison by the Special Deterrence Force (an armed group falling nominally under the responsibility of the Ministry of the Interior)”*.

²³ Human Rights Solidarity: [“Women Prisoners at Mitiga Prison go on hunger strike to protest Indefinite Detention without Trial”](#), January 21, 2021. The authorities in Tripoli, specifically the Office of General Attorney and the Ministry of Interior, did not respond to the efforts of HRS to communicate with them regarding this issue.

²⁴ DCAF Centre, Libyan Security Sector Legislation: [“Law No. \(24\) of 2010, On Provisions of Libyan Nationality”](#).

²⁵ Regulation 594 (2010) specifies the provisions to implement Law 24 (2010). It is noted that the law does not grant citizenship to children of Libyan women married to foreigners, but rather it grants them the right apply for citizenship with conditions, as Dr. Saad Salem al-A’sbali, explained in detail in a legal brief titled “On the Libyan Nationality Law,” published on several websites and social media networks. Articles 6 and 7 of the regulation state the requirements and exceptions to apply for citizenship. For example, the children must wait till they become adults to apply, unless the father is deceased or officially recognized as missing. Applicants must get parental consent, to apply for citizenship, and the marriage of their parents must be approved by the competent social affairs authority. In all cases, the regulations stipulate that it is not permissible for children of a Libyan woman, married to a Palestinian, to apply for Libyan citizenship. Legal Notebook - Tunisia: [“The son of a Libyan woman married to a foreigner; a lost identity and lost rights”](#), Jazia Jibril Mohamed, Issue 5, July 8, 2016.

²⁶ UN Women, Arab States: [“Press release: Already impoverished and impacted by insecurity and discrimination, Libyan women are likely to be hit hardest if COVID-19 takes hold in the war-torn country, UN Women warns”](#), April 14, 2020.

²⁷ UN Women: [“Gender-Sensitive Prevention, Response and Management Of Covid-19 Outbreak in Libya”](#), April 2020.